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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,030	02/04/2004	Louay Jalloul	CE08219R D01	3892

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EXAMINER	
GESESSE, TILAHUN	
ART UNIT	PAPER NUMBER
2618	

NOTIFICATION DATE	DELIVERY MODE
04/30/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Docketing.Schaumburg@motorola.com
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Office Action Summary	Application No.	Applicant(s)	
	10/772,030	JALLOUL ET AL.	
	Examiner	Art Unit	
	Tilahun B. Gesessse	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 February 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *11-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *11-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 11-12 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 11-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lundby et al (US 6,356, 528) in view of Czaja et al (US 6,567, 666).

Claim 11, Lundby teaches an apparatus in a communication system(see column 7, line 45-column 8,lines 35 and figure 3) in which a receiver with first and second processing blocks (207 and 209).

Lundby teaches a first signal processing block (207) for processing a first received signal according to a first communication standard to produce a first received processed signal (Lundby teaches “channels 8 and 10 have been transmitted on different carrier frequencies, then the signals will be downconveted using different mixing frequencies result demodulator subsystem 207” (see column 7, lines 59-64) in which different carrier frequencies received from BTS , such as (IS-95 CDMA or TDMA or GSM), see column 5,lines 14-31, column 6, lines 30-33) in which different carrier frequencies , to mean “first communication standard or IS-95 or standard.

Lundby teaches a combiner for combining the first and second received processed signal to produce a combined signal (see column 8, lines 23-25 and figure 3 item 220).

Lundby does not expressly teach a second received signal according to a second communication standard.

However, Czaja, with similar field of endeavor, teaches mobile station receives and demodulating both an IS-95 and IS-2000 signal using first and second pilot PN generated with different standards (see column 6, lines 54-67 and figure 6).

It would have been obvious to use a second standard rather than traditional quadrature PN standard and IS-2000 PN (a complex PN).

The modification of Lundby to use a complex PN spreading PN "second" standard would have constituted the mere arrangement of old elements with each performing the same function it had been known to perform, the modification yielding no more than one would expect from such an arrangement.

Claim 12, Lundby teaches all limitations as explained in claim 11, above and further more, Lundby teaches a decoder for decoding the combined signal retrieve information communicated via the first and second signals (see column 8, lines 25-35 and figure 3, item #222).

Claims 13-14, Lundby teaches all limitations as explained in claim 11, above and further more, Lundby teaches all limitations as explained in claim 11, above and further more, Lundby teaches the first processing block (207 of figure 3), which referring to first standard (IS-95)

Lundby teaches a despreader (210) for despreading the first signal(channel 8 of fig.1) by multiplying the first signal with a first PN sequence (206) compatible to the first communication standard to produce a first despread signal (channel 8 transmitted from base station of IS-95 received at first processing block (206 of figure 3)

Lundby teaches a traffic channel Walsh code despreader (210) and demodulator to produce a first demodulated signal (207) from said first despread signal (linked to DE-INT (216 of fig.3).

Lundby teaches a deinterleaver deintcrleaving said first demodulated signal according to a first intcrleaving/deintexleaving function of said first communication standard to produce the fast received processed signal (see figure 3, items #216).

Claims 15-16, Lundby teaches an apparatus (12) for detecting a broadcast control channel energy in a multi-generational mobile station (see fig.1 mobile station 12, detects broadcast channels (8 and 10) from base station (2).

Lundby teaches a pseudo-noise despreader for dispreading a received broadcast control channel signal according to a known base station pseudo noise Sequence (see figure 3, column 7, lines 45 through column 8, line 35).
a broadcast control channel Welsh Code despreader for despreading the received signal according to a known Walsh Code for the broadcast control channel;
a signal energy calculator for calculating a signal energy of the signal despread by the pseudo-noise despreader and the Welsh Code despreader (see figure 3, column 7, lines 45 through column 8, line 35).

Lundby does not expressly teach the calculated signal energy according to a preset scaling factor and a comparator for comparing the scaled signal energy to a threshold.

However, Czaja teaches the mobile measures the pilot strength of all base stations (2G or 3G) and reports their strength to the active base station in the pilot strength Measurement message (see column 7, lines 39-58 and figure 6).

It would have been obvious to one of ordinary skill, to calculate signal energy and compare the measured energy against the PSMM (strength), as taught by Czaja, in

order to overcome the shortcoming of the hard hand off or the communication cut off or temporary suspend communication, using soft handoff inter-generation (see column 8,lines 13-21).

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B. Gesesse whose telephone number is 571-272-7879. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

April 25, 2008
T.B.G

Tilahun B Gesesse
Primary Examiner
Art Unit 2618

/Tilahun Gesesse/
Primary Examiner, Art Unit 2618